



香港特别行政区政府
民航处
Civil Aviation Department
The Government of the Hong Kong Special Administrative Region

危险品通告第 1/2019 号

空运危险品许可证和空运军火许可证

最近，民航处注意到有航空器经营人在未有取得由民航处处长签发的空运危险品许可证的情况下，从香港空运包装说明967 / 970第II节的锂电池货物。根据国际民航组织的《危险品安全空运技术指令》，包装说明965至970第II节的锂电池货物均分类为危险品，航空器经营人必须根据《1995年飞航（香港）令》附表16第3(1)条[香港法例第448C章]，取得由民航处处长签发的有效许可证以空运上述的锂电池货物。本处现正就该事故进行调查。

2. 此外，根据《1995年飞航（香港）令》第43条，飞机不得运载任何军火，除非已获得民航处处长的书面许可，并根据其相关条件运载。

额外警惕并确保符合规格

3. 本处正严肃跟进上述事故，现提醒航空器经营人及其地勤服务公司时刻保持警惕，在接受任何危险品货物或军火以作空运往返香港前，必先确保航空器经营人具备所需的许可证。《1995年飞航（香港）令》的相关条文已节录于本通告的附录一以供参考。该法例的完整版可从「电子版香港法例」网站<https://www.elegislation.gov.hk> 下载。

4. 违反《1995年飞航（香港）令》可被检控。

申请程序和获发许可证的航空器经营人名单

5. 有关申请空运危险品及空运军火许可证的程序，请参阅在本处网站 <https://www.ais.gov.hk/#AIC1> 发布的相关航空资料通告（“AIC”）。

6. 获发空运危险品许可证的航空器经营人名单载于以下网址
<https://www.cad.gov.hk/english/pdf/dgpermissionlist.pdf>。

7. 获发空运军火许可证的航空器经营人名单载于以下网址
<https://www.cad.gov.hk/english/pdf/MUW%20Permission%20List.pdf>。

8. 如对本通告有任何查询，请致电 2910 6856 或 2910 6857 与危险品事务组联络。

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<http://www.cad.gov.hk/chinese/DGAC.html>

AIR NAVIGATION (HONG KONG) ORDER 1995

Section 3

S16-6
Cap. 448C

defined, shall for the purpose of these Regulations be interpreted as applying also to the carriage of such goods beneath passenger or cargo aircraft respectively.

3. Carriage of dangerous goods

- (1) An aircraft shall not carry or have loaded therein or suspended thereunder any dangerous goods, unless such goods are carried, loaded or suspended— (*L.N. 193 of 2009*)
 - (a) with the written permission of the Chief Executive and in accordance with any conditions to which such permission may be subject; and (*36 of 1999 s. 3*)
 - (b) in accordance with the Technical Instructions and any conditions specified therein.
- (2) A person shall not—
 - (a) take or cause to be taken on board,
 - (b) suspend or cause to be suspended beneath, or
 - (c) deliver or cause to be delivered for loading on or suspension beneath, (*L.N. 179 of 1999; L.N. 140 of 2011*)

an aircraft any goods which he knows or ought to know or suspect to be dangerous goods, unless the provisions of these Regulations are complied with. (*L.N. 214 of 2003*)

- (3) Subject to Regulation 8A of these Regulations, these Regulations shall not apply to dangerous goods carried on an aircraft where the dangerous goods are— (*L.N. 193 of 2009*)
 - (a) articles and equipment which are—
 - (i) required to be carried on the aircraft by or under this Order; or

that that person is a fit person to hold the certificate and is competent, having regard in particular to his previous conduct and experience, his equipment, organisation, staffing and other arrangements, to secure the safe operation of the aircraft specified in the certificate on flights for the purposes specified in paragraph (1) of this Article. The certificate may be granted subject to such conditions as the Chief Executive thinks fit including, without prejudice to the generality of the foregoing, conditions for ensuring that the aircraft and any article dropped from it do not endanger persons or property in the aircraft or elsewhere, and shall, subject to the provisions of Article 62 of this Order, remain in force for the period specified in the certificate.

- (3) Every applicant for and the holder of an aerial application certificate shall make available to the Chief Executive upon application and to every member of his operating staff upon the certificate being granted an aerial application manual which shall contain all such information and instructions as may be necessary to enable the operating staff to perform their duties as such. The holder of a certificate shall make such amendments of or additions to the manual as the Chief Executive may require.
- (4) For the purposes of this Article “operating staff” has the meaning ascribed to it in Article 25(4) of this Order.

(36 of 1999 s. 3)

43. Carriage of weapons and of munitions of war

- (1) An aircraft shall not carry any munition of war unless:
 - (a) such munition of war is carried with the written permission of the Chief Executive and in accordance with any conditions relating thereto; and

- (b) the pilot in command of the aircraft is informed in writing by the operator before the flight commences of the type, weight or quantity and location of any such munition of war on board or suspended beneath the aircraft and any conditions of the permission of the Chief Executive. (*36 of 1999 s. 3; L.N. 77 of 2008*)
- (2) Notwithstanding paragraph (1) of this Article it shall be unlawful for an aircraft to carry any weapon or munition of war in any compartment or apparatus to which passengers have access.
- (3) It shall be unlawful for a person to carry or have in his possession or take or cause to be taken on board an aircraft, to suspend or cause to be suspended beneath an aircraft or to deliver or cause to be delivered for carriage thereon any weapon or munition of war unless—
- (a) the weapon or munition of war:
- (i) is either part of the baggage of a passenger on the aircraft or consigned as cargo to be carried thereby;
 - (ii) is carried in a part of the aircraft, or in any apparatus attached to the aircraft inaccessible to passengers; and
 - (iii) in case of a firearm, is unloaded;
- (b) particulars of the weapon or munition of war have been furnished by that passenger or by the consignor to the operator before the flight commences; and
- (c) without prejudice to paragraph (1) of this Article the operator consents to the carriage of such weapon or munition of war by the aircraft.
- (4) Nothing in this Article shall apply to any weapon or munition of war taken or carried on board an aircraft registered outside Hong Kong, if the weapon or munition of war, as the case

may be, may under the law of the country in which the aircraft is registered be lawfully taken or carried on board for the purpose of ensuring the safety of the aircraft or of persons on board. (*L.N. 77 of 2008*)

- (5) For the purposes of this Article a “munition of war” means any weapon, ammunition or article containing an explosive or any noxious liquid, gas or other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article.

44. Carriage of dangerous goods

(Adaptation amendments retroactively made - see 36 of 1999 s. 3)

- (1) It shall be an offence to contravene or permit the contravention of or fail to comply with any of the regulations set out in Schedule 16 to this Order:

Provided that the Chief Executive may make regulations which supplement, amend or replace the regulations set out in the said Schedule 16, and which prescribe— (*36 of 1999 s. 3*)

- (a) the classification of certain articles and substances as dangerous goods;
- (b) the categories of dangerous goods which an aircraft may not carry;
- (c) the conditions which apply to the loading on, suspension beneath and carriage by an aircraft of dangerous goods;
- (d) the manner in which dangerous goods must be packed, marked, labelled and consigned before being loaded on, suspended beneath or carried by an aircraft;
- (e) any other provisions for securing the safety of aircraft and any apparatus attached thereto, and the safety of persons and property on the surface in relation to the